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Security Council

Sixty-sixth year

Provisional

6515th meeting

Thursday, 14 April 2011, 11 a.m.

New York

President:	Mr. Osorio	(Colombia)
Members:	Bosnia and Herzegovina	Mr. Barbalić
	Brazil	Mrs. Viotti
	China	Mr. Wang Min
	France	Mr. Araud
	Gabon	Mr. Moungara Moussotsi
	Germany	Mr. Berger
	India	Mr. Hardeep Singh Puri
	Lebanon	Mr. Salam
	Nigeria	Mrs. Ogwu
	Portugal	Mr. Moraes Cabral
	Russian Federation	Mr. Karev
	South Africa	Mr. Mashabane
	United Kingdom of Great Britain and Northern Ireland	Sir Mark Lyall Grant
	United States of America	Mrs. DiCarlo

Agenda

Women and peace and security

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The meeting was called to order at 11.15 a.m.

Adoption of the agenda

The agenda was adopted.

Women and peace and security

The President (*spoke in Spanish*): Under rule 39 of the Council's provisional rules of procedure, I invite Ms. Margot Wallström, Special Representative of the Secretary-General on Sexual Violence in Conflict, to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

I now give the floor to Ms. Margot Wallström.

Ms. Wallström: There is no question that the Security Council has adopted historic resolutions to combat the scourge of conflict-related sexual violence. But the question could be asked: What do those resolutions mean for women right now in Libya? If a Libyan woman had been in this Chamber last December when resolution 1960 (2010) was adopted (see S/PV.6453), what would it have led her to expect?

In a word, the promise of resolution 1960 (2010) is prevention. Resolution 1960 (2010) is rightly oriented towards deterrence. In that respect, it marks a political commitment to bringing all of the Council's tools to bear in preventing and addressing the atrocity of wartime rape. It sets out the elements of an accountability regime aimed at influencing the conduct of perpetrators and would-be perpetrators.

Yet resolutions 1970 (2011) and 1973 (2011) on Libya make no mention of the risk of sexual violence, a risk that is all too real in contexts of escalating unrest and mass displacement. In its preambular part, resolution 1970 (2011) lists a range of human rights concerns — arbitrary detention, enforced disappearance, torture, summary execution, forced refugee flight and repression of peaceful demonstrations. Experience attests to the fact that such conditions often signal spikes in sexual violence. However, when it is not explicitly included in mandates and the related political discussions, the question is unlikely to be asked.

Leveraging the credible threat of consequences for rape can make a difference. Resolution 1970 (2011) was thus an opportunity for the Council to raise a red flag, to give effect to the intention expressed so powerfully last December.

Sexual violence has emerged despite the robust action of the international community to protect civilians in Libya. Although reports of rape remain unconfirmed — and are even brutally silenced — they have arrested the attention of the world. The name of Eman al-Obeidi is known to all. Reports from transit camps on the Libya-Tunisia border and from surgeons, doctors and international media representatives suggest that it is not plausible to consider her case an isolated incident.

As a political or security situation deteriorates, events unfold rapidly, and sexual violence often becomes part of the repertoire of repression. Its inclusion in peacekeeping and other Chapter VII resolutions sends a strong signal that sexual violence, like other grave violations, will be subject to scrutiny. It tells the women of Libya, Côte d'Ivoire or the Democratic Republic of the Congo that the promise of resolution 1960 (2010) will be translated into practice, that thematic resolutions are in fact a prelude to country-level action.

Given the way sexual violence spans the history of war, it should be automatically and systematically included in protection measures. The Council has recognized that sexual violence is used by political and military leaders to advance political, military and economic ends. As a consequence, it warrants continuous consideration. Otherwise, interventions on the front lines may relegate women's security to the sidelines. If we allow the lack of hard data to justify inaction, it will always be too late.

But I am optimistic that resolution 1960 (2010) will shift the terms of the debate from reacting to sexual violence like any other tragedy to preventing sexual violence like any other threat. Indeed, when resolution 1975 (2011), imposing targeted sanctions in response to the surging violence in Côte d'Ivoire, was adopted on 30 March, sexual violence was duly mentioned (see S/PV.6508). That was an encouraging sign that such violence is taken seriously and is increasingly being integrated into the Council's core business.

Shocking reports of sexual violence have emerged as part of the post-electoral crisis in Côte d'Ivoire. Preliminary information suggests that sexual assaults may have been politically targeted, as previously witnessed in Kenya and Guinea. These incidents demand a swift and thorough investigation. They should also be taken into account when the

Council considers the mandate of the United Nations Operation in Côte d'Ivoire in the coming weeks.

Council members will recall that resolution 1820 (2008) demands, in paragraph 2, "the immediate and complete cessation by all parties to armed conflict of all acts of sexual violence against civilians" and stresses the exclusion of such crimes from amnesty provisions. Accordingly, I urge the Council to use its influence to ensure that any ceasefire agreement reached in relation to Libya or Côte d'Ivoire also entails the cessation of sexual violence as a tactic of war. Moreover, commissions of inquiry must include dedicated expertise on this issue.

Almost daily, cases of sexual violence against vulnerable communities in the Democratic Republic of the Congo continue to be reported. On 31 December 2010 and 1 January 2011, 47 women were raped in the villages of Bushani and Kalambahiro in Masisi territory in eastern Democratic Republic of the Congo. The perpetrators were alleged to be Forces armées de la République démocratique du Congo (FARDC) (ex-Congrès national pour la défense du people) soldiers participating in a joint operation of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) and the FARDC.

Yet the past several months have also shown that where there is political will, there is a way. The Government of the Democratic Republic of the Congo ensured a swift and open investigation into the rapes that occurred in Fizi territory in December 2010, which led to the trial and conviction by the Military Court in Baraka of Lieutenant Colonel Mutware Kibibi and 10 other FARDC officers. Those perpetrators will serve sentences of between 10 and 20 years. Further, in February, Callixte Mbarushimana, affiliated with the Democratic Forces for the Liberation of Rwanda, was transferred from France to the International Criminal Court in The Hague.

While these are exemplary actions, it is essential that all perpetrators be consistently and relentlessly pursued. That will raise the cost of committing, commanding or condoning sexual violence and thereby serve as a deterrent to others.

In February, I visited the Democratic Republic of the Congo for the third time and was able to discuss the issue of impunity with President Kabila and senior members of the Government. The President acknowledged the importance of ensuring the rigorous investigation and prosecution of perpetrators as a key element of prevention. There seems to be a new awareness among the political leadership in this regard. There is also a new trend of convictions of senior FARDC officers — including commanders — for crimes of sexual violence. In March, we witnessed the prosecution of General Jérôme Kakwavu, the highest-ranking national army officer ever to be tried for crimes of sexual violence. He was, as members know, one of the five officers blacklisted by this Council.

These are positive signs that I hope can be sustained and reinforced. Since the mass rapes in Walikale, there has also been a marked evolution in MONUSCO's protection response, including the initiation of community alert networks for early warning.

In February, I also visited Kamako in Western Kasai province on the border of the Democratic Republic of the Congo and Angola to look into reports of sexual violence against Congolese women and girls in the context of ongoing expulsions from Angola. Local administrators and United Nations agencies recorded 185 such rapes in January. I met with nearly 70 of these women and girls in Kamako. One woman described having been abducted while at market and raped repeatedly by multiple assailants over the course of several days before being expelled from Angolan territory. I saw the rope burns on the arms of a woman who said that she had been gang-raped and tied to a tree. Many of the women said that they were desperate to find their children, who had remained in Angola after their expulsions. Angolan security forces were implicated in many of these cases.

I then visited Angola from 10 to 14 March to take this issue up with the authorities. I travelled to Lunda Norte province on the Angola-Democratic Republic of the Congo border, where I visited the Chissanda border crossing and the Cajamba refugee settlement. Serious and legitimate concerns exist regarding sexual violence against Congolese women and girls in the context of illegal diamond-mining activities and expulsions. Women are acutely vulnerable in this context. They are in the minority of illegal migrants and at risk of rape and sexual intimidation by armed and uniformed men. There are also concerns of the trafficking of women and girls from the Democratic Republic of the Congo to diamond-mining areas for prostitution and forced labour.

The visit resulted in a joint communiqué of the Government of Angola and the United Nations, outlining a proactive approach to putting in place prevention measures. The Angolan authorities make specific commitments, which include reiterating through the police and army chains of command the orders prohibiting sexual abuse; reinforcing the commitment to zero tolerance of such violations in army and police codes of conduct; undertaking investigations of alleged violations on the basis of credible information, and ensuring punishment of perpetrators; and facilitating the assessment missions of the United Nations and the International Organization for Migration to areas of concern, and granting United Nations protection actors regular access to detention centres or similar locations.

In practical terms, it is essential that the previously established Angola-Democratic Republic of the Congo Mixed Commission be invigorated as the formal framework under which cross-border concerns related to illegal migration are addressed. The Mixed Commission should function at both the national and the provincial levels, and focus particular attention on the vulnerability of women and girls. Regular information exchange and coordination between the United Nations presence in Angola and the Democratic Republic of the Congo is imperative. Once again, this reflects the prevention approach envisioned by resolution 1960 (2010), and affirms that practical solutions are possible.

Cross-border and regional-level cooperation is critical to addressing a problem that often carries regional implications. It is in this context that I have prioritized strategic engagement with the African Union (AU). On 28 March, I addressed the African Union Peace and Security Council on the occasion of its open session on women and children in armed conflict. The AU Peace and Security Council adopted a communiqué that emphasizes a joint African Union-United Nations response to conflict-related sexual violence, and stresses in particular the need to investigate crimes committed against women and children, launch preventive campaigns aimed at the armed forces and the police, and ensure that perpetrators are brought to justice. The African Union Peace and Security Council also expressed support for the decision of the Chairperson of the AU Commission to appoint an African Union special representative on women, peace and security.

Cooperation between the United Nations and the African Union can be enhanced in a number of areas, such as the training of peacekeepers and ensuring that sexual violence concerns are consistently reflected in United Nations and AU-led mediation and conflict-resolution processes. The Security Council and the African Union Peace and Security Council should consider the inclusion of sexual violence as an agenda item in future meetings.

My Office is looking at the issue of sexual violence with a wide range of partners and from all angles, including from the ground up. Last week, I attended a workshop in India at which we discussed the practical challenges facing peacekeepers on the frontlines. For these peacekeepers, sexual violence mandates are operational, not just aspirational. We must give them the financial and political support and all the tools they need to succeed. In this respect, my Office has collaborated with the Department of Peacekeeping Operations and UN Women to develop innovative, scenario-based training resources, which have also been piloted in Bangladesh. My interactions with troop-contributing countries affirm that addressing sexual violence is recognized as a core protection of civilians challenge.

My Office is also developing a number of tools to accelerate the implementation of resolution 1960 (2010). These include establishing monitoring, analysis and reporting arrangements for improved information-flow; compiling a matrix of early warning signs to help field personnel predict spikes in sexual violence; and building an accountability regime with real-world impact on the fight against impunity.

Better data is not an end in itself, but serves to inform better responses. We anticipate that guidance to the field on the implementation of resolution 1960 (2010) will be disseminated by the end of May. This will include an operational concept and terms of reference for women protection advisers. It is envisioned that women protection advisers will advise senior United Nations leadership on the implementation of key aspects of the women, peace and security resolutions. As part of our efforts to enhance accountability, at the end of May I hope to brief the Democratic Republic of the Congo Sanctions Committee established pursuant to resolution 1533 (2004). My Office also remains at the disposal of the Council as it prepares the terms of reference for its next visit to Africa.

The Team of Experts on the Rule of Law is up and running and due to be deployed to Liberia later this month to support Criminal Court "E", which was specifically established to hear cases of sexual violence. The Team will then visit the Democratic Republic of the Congo in May to reinforce the capacity of investigators and prosecutors through prosecution support cells in North and South Kivu, and to mentor women magistrates who have been trained to handle cases of sexual violence. It will also deploy to Southern Sudan in May in order to contribute to the development of new legal frameworks.

War is a context of lethal violence. In such an environment, it is tempting to see sexual violence as a lesser evil. That is not how women see it. That is not the experience of a rape camp survivor from Bosnia who told me: "They have taken my life without killing me", or of the woman from Liberia who described rape as "a kind of slow murder". Sexual violence maims the survivor not only physically but psychologically and socially as well, turning victims into outcasts. And yet this war tactic requires no weapon greater than an individual's cruel intent. As one Indian peacekeeper so aptly stated last week: "A rape is an irreversible violation". We cannot reverse the irreversible, but we can reinforce efforts to prevent and prosecute.

In that respect, resolution 1960 (2010) is seen by many women as a message of hope. One woman I met in eastern Democratic Republic of the Congo in March grabbed my hand as I was leaving the meeting and said, "The fact that you have come all the way from New York means we are not alone after all". So even in the tyranny of emergency, before hard evidence emerges, and though it may not be obvious what gender has to do with arms embargoes or no-fly zones, we must remember women. Our endeavours to uphold international security will not be comprehensive unless they include efforts to end sexual violence before it has begun.

The President (*spoke in Spanish*): I thank Ms. Wallström for her very important and comprehensive briefing.

I now invite Council members to informal consultations to continue our discussions on the subject.

The meeting rose at 11.30 a.m.